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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,071	06/20/2001	Lou Topf	00987	5990

38823 7590 07/05/2005

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EXAMINER

CHANKONG, DOHM

ART UNIT PAPER NUMBER

2152

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,071

Applicant(s)

TOPFL ET AL.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1> This action is in response to Applicant's RCE and amendments to the claims. Claims 1-20 are presented for further examination.

2> This is a non-final rejection.

Response to Arguments

3> Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4> Claims 1, 2, 6, 7, 11, 12, 16 and 17 are rejected under 35 U.S.C § 103(a) as being unpatentable over Jiang et al, U.S Patent No. 6.385.641 ["Jiang"], in view of Pirolli et al, U.S Patent No. 6.098.064 ["Pirolli"], in further view of Adar et al, U.S Patent No. 6.493.702 ["Adar"].

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1> As to claim 1, Jiang discloses a system for facilitating communication between a user and a network of information items [abstract], comprising:

a remote data storage device for storing the information items, wherein the information items are stored in the form of pages, and wherein the pages contain a plurality of links to other information items [Figure 1 | Figure 3];

a client device having a user interface program thereon, for allowing a user to interface with the network and request the information items [column 4 «lines 30-54»];

a server device, in communication with the client device and in communication with the remote storage device, for handling information requests from multiple clients and for storing information retrieved from the data storage devices locally in a server cache memory [claim 1];

a data collection module for collecting and storing successive actions of the user [column 4 «lines 20-22»];

Jiang also discloses a probability module in communication with the data collection module for calculating a probability for the desirability of the links by the particular user and for comparing the probability to a predetermined threshold value to identify predicted links and for retrieving the predicted information items associated with the links [column 6 «lines 6-34» | claim 1] but does not disclose that the retrieved information is stored in a server cache memory in advance of the particular user's request for the selected information items.

Jiang also does not explicitly disclose that the user is authenticated.

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5> Jiang discloses that the predicted information items are downloaded to a local client cache but does not disclose that they are stored at the server cache. However, Pirolli discloses a similar system with two embodiments, where items are predictively prefetched and cached. In one of Pirolli's embodiments, the information is cached at the client as in Jiang. But Pirolli also demonstrates that such a precaching functionality would be easily scaled to operate on a proxy server or server [Figure 1 «item 112» | column 11 «lines 18-20»]. It would have been obvious to modify Jiang's prefetching and caching routines so that the information is stored at a proxy server and not at the client as taught by this embodiment of Pirolli. The use of proxy servers is well known and ubiquitous in the art for providing a centralized means for storing user information and enable users to access their cached pages from any computer that is attached to the proxy.

6> Adar discloses first authenticating a user, and storing actions of the authenticated user [column 3 «lines 55-62» | column 5 «lines 38-57» | column 11 «lines 5-24» | column 13 «lines 18-31»]. It would have been obvious to one of ordinary skill in the art to incorporate Adar's authentication functionality into Jiang to enable Jiang's goal of keeping track and monitoring individual usage browsing histories. Furthermore, as Jiang discloses monitoring user histories in his system, one of ordinary skill in the art would have expected some sort of identification means to recognize each user and being able to store individual user history. Adar's authentication means would provide this functionality and improve Jiang's system.

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7> As to claim 2, Jiang discloses the system of claim 1, wherein the probability module updates the probabilities assigned to the links with each successive user activity [column 5 «lines 23-57»].

8> As per claims 6, 7, 11, 12, 16 and 17, they do not teach or further define over the limitations recited in claims 1 and 2. Therefore claims 6, 7, 11, 12, 16 and 17 are also rejected for the same reasons as set forth in claims 1 and 2, supra.

9> Claims 3-5, 8-10, 13-15 and 18-20 are rejected under 35 U.S.C 103(a) as being unpatentable over Jiang, Pirolli and Adar, as applied to claim 1 above, in view of Barrett et al, U.S Patent No. 5,727,129 [“Barrett”].

10> Barrett was cited by Applicant in IDS #4, dated 1.8.2002.

11> As to claim 3, Jiang does not disclose a system wherein the probability module aborts retrieving the predicted information items if the user requests an information item other than the predicted information items.

12> Barrett teaches a network data communication system wherein a probability module aborts the retrieval of predicted information items if the user requests an information item other than the predicted information items [abstract | Figure 7 <items 58, 64> | column 9 <lines 1-16>]. It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to implement the functionality of module-initiated abortion of the retrieval of predicted information items in Jiang's probability module. One would have been motivated to do this implementation to prevent unnecessary downloading of unwanted content in Jiang's system.

13> As to claim 4, Jiang does not disclose a system wherein the probability module continues retrieving the predicted information items from the remote data storage devices and storing the predicted information items in the server cache memory if the user requests the predicted information item.

14> Barrett teaches a system wherein the probability module continues retrieving the predicted information items from the remote data storage devices and storing the predicted information items in the server cache memory if the user requests the predicted information item [abstract | column 9 <lines 1-16>]. It would have been obvious to one of ordinary skill in the art to include the functionality of Barrett's probability module into Jiang's module to increase the amount of control the module has over the prefetching of predicted data. One would have been motivated to combine these teachings to allow the module to anticipate user actions, and if correctly predicted, to continue with the downloading of the anticipated content.

15> As to claim 5, Jiang does not disclose the probability module downloading the user requested information item to the client from the server cache memory.

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16> Barrett discloses downloading the user requested information item to the client from the server cache memory [Figure 2 «item 24» | column 8 «lines 2-21»]. It would have been obvious to one of ordinary skill in the art to incorporate Barrett's server cache memory into Jiang's prefetch system to enable clients to retrieve precached items from a proxy server.

17> As to claims 8-10, 13-15 and 18-20, they do not teach or further define over the limitations recited in claims 3-5. Therefore, claims 8-10, 13-15 and 18-20 are also rejected for the same reasons as set forth in claims 3-5, supra.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC

Dung C. Dinh
Primary Examiner

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned below the printed name and title.